

**TO:** Mayor and Board of Trustees  
**FROM:** Village Administrator Steve Stricker and Staff  
**SUBJECT:** Regular Meeting of July 25, 2011  
**DATE:** July 22, 2011

**PLEDGE OF ALLEGIANCE:**

Aman Penmetcha, Pleasantdale Elementary School

**6. ORDINANCES**

**7. RESOLUTIONS**

**A. Water Tower Lease Agreement (Verizon Wireless)**

On July 11, the Village Board approved a special use to allow for an antenna to be constructed on the Village's water tower at 7101 Garfield Avenue. Attached please find a Resolution authorizing the approval of our standard Water Tower Lease Agreement with Verizon Wireless. The term of the agreement is for five years and is automatically extended for three additional five-year terms, unless the lessee terminates at the end of the initial term by giving notice of their intent to terminate at least six months prior to the end of the initial term. Annual rent for the first year will be \$34,963, which is the amount that all the other companies that have installed antennas on our water towers currently pay, and includes a 3% increase each year.

**It is our recommendation:** that the Resolution authorizing the approval of the contract between the Village of Burr Ridge and Verizon Wireless be adopted.

**B. MFT Funds for 2011 Road Program (Crackfilling and Striping)**

Attached please find a Resolution regarding Motor Fuel Tax (MFT) Maintenance funding for the Year 2011 Crack-filling and Pavement Marking programs. This Resolution declares the Year 2011 Crack-filling and Pavement Marking programs as MFT funded projects and allows the Village to appropriate a partial allotment of MFT funds for these maintenance activities. This MFT resolution is separate from the MFT resolution that appropriated MFT funds for the 2011 Road Program; IDOT requires separate resolutions for "improvement" projects (Road Program), and "maintenance" projects (Crack-filling and Pavement Marking Programs). At the completion of the projects, and upon approval by Illinois Department of Transportation, the Village is authorized to transfer these MFT funds from the State to the Village's Capital Projects Fund.

**It is our recommendation:** that the Resolution be adopted.

## 8. CONSIDERATIONS

### A. **Pathway Commission Recommendation – Sidewalk CLR**

At its July 14, 2011 meeting, the Pathway Commission held a second public hearing to consider a sidewalk on the west side of County Line Road from Cabernet Court to Woodgate Drive. Due to a tie vote on two separate motions, the Pathway Commission forwards this consideration to the Board of Trustees without a recommendation.

The Pathway Commission held the first public hearing on January 6, 2011, at which time they recommended that the Board proceed with preliminary engineering and a grant application for a sidewalk on the west side of County Line Road from Cabernet Court to Woodgate Drive. In response, the Board directed staff to proceed with preliminary engineering and directed the Pathway Commission to conduct a second public hearing after completion of the preliminary engineering plans. Preliminary engineering has been completed for the subject sidewalk and the estimated construction cost is \$250,000. The preliminary engineering plans also confirm that most of the existing landscaping between County Line Road and the Burr Ridge Club would have to be removed for the sidewalk.

At the July 14, 2011 public hearing, approximately 50 residents were in attendance, all of which objected to the proposed sidewalk. All but one of the residents was from the Burr Ridge Club subdivision. The spokesperson for the residents of Burr Ridge Club summarized their objections as follows: the sidewalk is a waste of resources, it does not have any public support, it is redundant with the planned sidewalk on the east side of the street, it is too expensive, and it would devastate the plantings that provide a valuable buffer between the homes in Burr Ridge Club and County Line Road. Additionally, other residents expressed their concern with the safety at the intersection of Burr Ridge Club Drive and County Line Road.

The Pathway Commission considered two motions. The first motion to table the consideration for further information failed by a vote of 3 to 3. A second motion not to proceed with the project and to remove the project from the Sidewalk and Pathway Plan also failed by a vote of 3 to 3. Thus, this consideration is forwarded to the Board without a recommendation from the Pathway Commission.

**It is our recommendation:** that the Board direct staff not to proceed with any further work on this project.

### B. **Remove or Fill Abandoned Foundation (8050 Savoy Club Court)**

The property at 8050 Savoy Club Court was issued a building permit in

2007. The foundation for the home was constructed before the contractor stopped construction and the permit then expired in 2009. In May of 2010, the original developer of Savoy Club, Dan Callaghan, came to the Board and asked that the foundation be allowed to remain rather than requiring its removal. The Board granted a one year extension to get a new permit or to remove the foundation.

Subsequent to the Board's one year extension, the property was foreclosed and is now owned by First Merit Bank. The building foundation remains and no permit application to complete the home has been received. The bank has been notified of the expiration of the Board's extension and has submitted a letter asking for an additional one year extension (see attached).

The bank took over this property in late May of this year. They have hired a broker to manage the property and to pursue a buyer for the property. The bank would like to keep the foundation in place so that a new home can be built on the property using the existing foundation. Staff is concerned about granting a one year extension not knowing if there will be a buyer during that time. Thus, a three month extension may be appropriate to allow some time for the bank to find a buyer. If a buyer is not found, the Board would still be able to require the removal of the foundation before the end of the construction season.

**It is our recommendation:** that the Board extend the time to allow the foundation to remain to September 26, 2011.

**C. Plan Commission Recommendation – Text Amendment (Z-16-2011: Bob Sayad)**

Please find attached a letter from the Plan Commission recommending approval of a request by Bob Sayad for an amendment to the Zoning Ordinance to permit residential back-up generators in side yards rather than the current regulation that restricts generators to the area behind the rear wall of a house.

The petitioner is a home builder and is building a home on Drew Avenue. The homeowner wants to have a generator and believes the best location for the generator is a side yard next to air conditioning units. The petitioner provided testimony indicating that a very large generator would create 62 decibels of noise at peak performance compared to air conditioning units that normally generate greater noise levels.

There was another resident present at the public hearing who spoke in support of the amendment. Plus, staff has received a number of inquiries from residents wanting generators in side yards. More significantly, generators have become quieter over the years and are more comparable to air conditioning units in terms of noise levels. Thus, they should be regulated in the same manner as air conditioning units.

The Plan Commission concurred that newer generators create similar noise impacts as air conditioning units and, therefore, may be regulated in the same manner. Currently air conditioning units are allowed to be located in a side yard.

**It is our recommendation:** that the Board concurs with the Plan Commission and directs staff to prepare an Ordinance amending the Zoning Ordinance as recommended.

**D. Plan Commission Recommendation – PUD Amendment (Lake Ridge Club) (Z-15-2011: Lake Ridge Club Homeowners Association)**

Please find attached a letter from the Plan Commission recommending approval of a request by the Lake Ridge Club Homeowners Association for an amendment to the Lake Ridge Club Planned Unit Development to permit residential back-up generators in side yards rather than the current regulation that restricts generators to the area behind the rear wall of a house.

Lake Ridge Club is a Planned Unit Development with smaller homes and common area between the homes. The back yards are more visible to neighbors than are the side yards and the residents would prefer to put generators in side yards.

If the text amendment that is on this same agenda (see Agenda Item #8D) is approved, there is no need for this PUD amendment. The Plan Commission and staff are recommending approval of the text amendment and if the Board agrees, this petition may be withdrawn.

**It is our recommendation:** that, if the Board approves the text amendment as per Agenda Item #8A, the Board will acknowledge the withdrawal of this petition.

**E. Plan Commission Recommendation – Special Use (Z-17-2011: 280 Shore Drive – Suburban Life)**

Please find attached a letter from the Plan Commission recommending approval of a request by Suburban Life Publications for special use approval to permit the outside overnight storage of delivery vans. The petitioner intends to use an existing building as a distribution center for newspapers and has up to 12 delivery vans that would be stored outside overnight when not in use. The petitioner indicated that the vans are on the road from 3 AM to 11 AM for three days during the week for distribution of newspapers. Most of the other time, the vans would be parked on the property behind the building.

The property is not visible from any residential areas and the number and size of vehicles to be stored are relatively small. Therefore, the Plan Commission concluded that this special use is compatible with the neighborhood and would not adversely impact any adjacent properties.

**It is our recommendation:** that Board concurs with the Plan Commission and directs staff to prepare an Ordinance granting special use approval as recommended.

**F. Plan Commission Recommendation – Conditional Sign Approval/ Sign Variation (S-05-2011: 5500 Woodview Road – Tartan Ridge)**

Please find attached a letter from the Plan Commission recommending approval of a request by the Tartan Ridge Homeowners Association for conditional sign approval and a sign variation for the replacement of an existing subdivision sign and with a maximum height of five feet rather than the maximum permitted height of four feet. The proposed sign is consistent with the sign regulations and the height variation is limited to a single monument pier. The majority of the sign is less than the permitted four foot height.

**It is our recommendation:** that Board concurs with the Plan Commission and directs staff to prepare an Ordinance granting special use approval as recommended.

**G. Purchase Replacement Mower**

In FY 11-12, one of the two existing Scag sabre-tooth mowers has been budgeted for replacement; the budgeted amount for this item is \$14,500. This mower was originally identified for replacement in FY 08-09, but replacement has been deferred since that time, and the mowers have been repaired as an alternative to replacement. In mid-summer, 2011, one mower experienced a major engine failure which would require several thousand dollars to repair, which necessitates replacement of one mower at this time. As referenced previously, imminent failure was contemplated, and adequate funds have been allocated for the purchase of a replacement mower in FY 11-12.

Two brands of zero turn mowers, a Scag Turf Tiger, model Stt61V-28 CAT-SS diesel and a Kubota model ZD326S were tested as a possible replacement. Both machines have desirable features, and over the past 10 years the Scag has performed well, yet staff felt many of the features that the Kubota machine offered make it a better choice for our needs. Some of these features include:

- One Piece Deck
- Built-in Maintenance Lift
- Hydraulic Deck Lift
- Easy Accessibility to Routine Maintenance Items
- Heavy Duty Blade Spindles
- Lighter Weight & a Smaller Footprint

Three bids were solicited. The lowest bid submitted was from Martin Implement of Orland Park, Illinois at a price of \$11,655.

**It is our recommendation:** that an equipment purchase contract be awarded to Martin Implement, of Orland Park, in the amount of \$11,655.

**H. Approval of Vendor List**

Enclosed is the Vendor List in the amount of \$436,897.58 for all funds, plus \$191,117.24 for payroll, for a grand total of \$628,014.82. The Vendor List includes the following special amounts:

- \$26,244.00 – Landmark Ford for 2011 Ford Expedition squad car
- \$28,265.00 – Kramer Tree Specialists for EAB treatment of parkway trees and soil

**It is our recommendation:** that the Vendor List be approved.